

No. 11(112)-3 Lab-79/7453.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial, Tribunal Faridabad in respect of the dispute between the workmen and the management of M/s Naresh Industries Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 316 of 1978
between

THE WORKMEN AND THE MANAGEMENT OF M/S NARESH INDUSTRIES N.I.T., FARIDABAD

Present—

Shri Amar Singh Sharma, for the workmen
Shri H. R. Dua, for the management

AWARD

By order No. ID/FD/46-78/35449, dated 31st July, 1978 the Governor of Haryana referred the following disputes between the management of M/s Naresh Industries, N.I.T. Faridabad and its workman, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

1. Whether the workmen should be supplied with uniforms ? If so, with what details ?
2. Whether the workmen are entitled to the grant of bonus rent allowance ? if so, with what details ?
3. Whether the workmen should be given gur and milk every day ? If so, with what details ?
4. Whether the workmen are entitled to the grant of bonus for the years 1975-76 and 1976-77 ? If so, with what details ?
5. Whether the workman should be given attendance cards ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings, but settlement was arrived at between the parties. According to the settlement it was agreed that the workmen shall be given Rs 20 as *ad hoc* increase and if minimum wages are raised, by the Government then this *ad hoc* increase, shall be adjusted against that. Other workmen shall be given work according to their designation and status. Even increments shall be given as per prevailing practice. When over time work is taken from a workman he shall be paid as per the law according to the Factories Act, 1948 and it was further agreed that bonus for the year 1978-79 shall be paid according to the Payment of Bonus Act. Other demands of the workmen as raised in the demand notice shall be deemed as having been withdrawn. It was further agreed in the settlement that this dispute shall be deemed as having been withdrawn. But I do not allow withdrawal of the dispute, rather give my award in terms of the settlement. I, therefore, give my award that the management shall pay to the workmen Rs 20 p.m. as *ad hoc* increase in wages, but it shall be adjustable against the minimum wages as prescribed by the Haryana Government. The management shall provide work to the workmen as per his designation and status. The management shall be liable to pay overtime as per Factories Act. The management shall also pay bonus for the year 1978-79 strictly in accordance with the Payment of Bonus Act. Other demands have been withdrawn by the implication as per settlement.

Dated the 26th June, 1979

NATHU RAM SHARMA,
Presiding Officer, Industrial
Tribunal, Haryana, Faridabad.

No. 575. dated 28th June, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,
Presiding Officer, Industrial
Tribunal, Haryana, Faridabad.

No. 11(112)-3 Lab-79/7454.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Naresh Industries, Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 169 of 1978

between

SHRI RAM DARSH, WORKMAN AND THE MANAGEMENT OF M/S NARESH
INDUSTRIES, FARIDABAD

Present —

Shri Amar Singh Sharma, for the workman.

Shri H. R. Dua, for the management.

AWARD

By order No. FD/45-78/29878, dated 27th June, 1978, the Governor of Haryana, referred the following dispute between the management of M/s Naresh Industries, Faridabad, and its workman Shri Ram Darsh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Darsh was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. The dispute was settled and the workman withdrew his case. I allow withdrawal. I, therefore give my award that there is no dispute between the parties.

Dated the 26th June, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 574, dated 28th June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112) 3Lab-79/7455.—In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workman and the management M/s Gautam Engg. Industries, near Dalton Cable Co., Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 35 of 1979

between

SHRI BAJ NATH, WORKMAN AND THE MANAGEMENT OF M/S GAUTAM INDUSTRIES,
NEAR DELTON CABLE COMPANY, MATHURA, ROAD, FARIDABAD.

Present—

Workman in person,

None, for the management.

AWARD

By order No. 1/245-75/2394, dated 12th January, 1979, the Governor of Haryana referred the following dispute between the management of M/s Gautam Engineering Industries near Dalton Cable Company, Mathura Road Faridabad and its workman Shri Baj Nath, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Baj Nath was justified and in order? If not, to what relief is he entitled?

On receipt of the order of references, notices were issued to the parties. The workman appeared and the management did not appear. *Ex-parte* proceedings were ordered against the management and the case was fixed for *ex-parte* evidence of the workman. The workman examined himself and stated that he was dismissed by the management without any fault of his and he was serving the management since 1966 as a Fitter at Rs 365 p.m. as wages.

I, believe in the *ex-parte* statement of the workman and give my award that the workman is entitled to reinstatement with continuity of service and with full back wages, and also other previous dues if any lying with the management as unpaid.

Dated 26th June, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 576 dated the 28th June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes, Act.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)3Lab-79/7456.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Naresh Industries, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD
Reference No. 180 of 1978

between

SHRI JAI RAM, WORKMAN AND THE MANAGEMENT OF M/S. NARESH INDUSTRIES, FARIDABAD
Present : Shri Amar Singh Sharma, for the workman.

Shri H.R. Dua, for the management.

AWARD

By order No. FD/32-78/30880, dated the 4th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Naresh Industries and its workman Shri Jai Ram, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act 1947:—

Whether the termination of services of Shri Jai Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. The dispute was settled and the workman withdrew his case. I allow withdrawal. I, therefore, give my award that there is no dispute between the parties.
Dated 26th June, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. dated

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 7th July, 1979

No. 11(112)-3Lab-79/7589.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Rinko Fibre (P) Ltd., Bahadurgarh, District Rohtak.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK
Reference No. 64 of 1977

between

SHRI BHAGWAN PARSHAD WORKMAN AND THE MANAGEMENT OF M/S. RINKO
FIBRE (P) LTD., BAHADURGARH, DISTRICT ROHTAK.

Present :

Shri Rajender Singh, for the workman.
No one for the management.

AWARD

By order No. ID/RTK/330-F-77/23060, dated 13th June, 1977 the Governor of Haryana referred the following dispute between the management of M/s. Rinko Fibre (P) Ltd., Bahadurgarh, District Rohtak and its workman Shri Bhagwan Parshad to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of the service of Shri Bhagwan Parshad was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties but on the notice sent to the management report was received "Left without address, returned to Addressee."

Notices were issued to the management for 18th June, 1977, 18th July, 1977, 17th August, 1977 and numerous other dates. Ultimately my Predecessor ordered on date 6th October, 1977 for substituted service. His order is reproduced as below :

Present :—Shri Sagar Ram Gupta for the workman.—

"Report of the postal authority has been received on the registered envelope sent to the management concerned for service of the notice contained therein, that Shri Nirmal Kumar Bose Partner of the management concerned was not found at the address mentioned in the reference and seemingly supplied by the workman. The workman regrets his inability to supply any address and it is thus obvious that service of the management concerned cannot be effected. The workman under the circumstances prays that the service of the notices of this reference be effected on the management concerned through publication of a notification in some paper circulated in Delhi and Bahadurgarh. The request being reasonable I direct that the service of the management of the notices of reference be effected in the aforesaid manner. The workman shall in this connection deposit a sum of Rs. 60/- for publication of this notice. Case to come up on 8th December, 1977.

Dated 6th October, 1977.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak."

About one year and 8 months have passed and more than 12 opportunities have been granted to the workman to comply with that order but the workman have not taken any step in compliance of the order. On 20th June, 1979 Shri Rajender Singh, representative of the workman made the following statement on 20th June, 1979 :—

"The workman was directed to deposit the fees for publication of the notice and to supply correct address of the respondent management but he is not pursuing his case. I, therefore, cannot comply with the order of the Labour Court and withdraw the demand notice. This reference may be filed."

In view of the above statement of the authorised representative of the workman I dismiss this reference and give my award that the workman is not entitled to any further relief.

Dated 21st June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 1600, dated 2nd July, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-79/7590.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Pawan Vidut Agency, Railway Road, Sonapat.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 87 of 1978

between

SHRI BHIM SINGH RATHI WORKMAN AND THE MANAGEMENT OF M/S. PAWAN
VIDYUT AGENCY, RAILWAY ROAD, SONEPAT

Present.—

No one for the workman.

Shri Pawan Kumar alongwith Shri Surinder Kaushal for the management,

AWARD

By order ID/SPT/57-7825/2905, dated 14th June, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Pawan Vidyut Agency, Railway Road, Sonapat and its workman Shri Bhim Singh Rathi to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of the services of Shri Bhim Singh Rathi was justified and in order ?
If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties for 11th September, 1978 and in spite of service the workman did not appear and *ex-parte* proceedings were passed against the workman and fixed the case for *ex-parte* evidence of the management. The workman appeared after some time and *Ex-parte* order was set aside and case adjourned for 4th October, 1978 but on 4th October, 1978 again the workman did not appear and again *ex-parte* order was passed against the workman. After that date no one ever appeared on behalf of the workman and after some adjournments on 31st May, 1979 Shri Pawan Kumar, Proprietor of the respondent management appeared and made the following statement :

"The workman Shri Bhim Singh was employed by me on my car as Driver I sold the car and accordingly there was no work with me which I could provide to the Driver. Thus I dispensed with his service in the beginning of 1978. He put in less than one year service with me and as such he is not entitled to any dues. I have not purchased any Vehicle i.e. Car and Van and I have not engaged any Driver with me. His earned dues were paid to him."

As per statement of the respondent management and worker not pursuing his claim. I hold that the termination of the service of the workman was justified and in order and he is not entitled to any further relief.

Dated 3rd June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana.

Endorsement No. 1599, dated 2nd July, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3 Lab-79/7591.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Modi Textile Mill, Rai, Sonapat.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 65 of 1978
between

SHRI SADA RAM WORKMAN AND THE MANAGEMENT OF M/S MODI TEXTILE MILL,
RAI, SONEPAT

Present.—

Shri Ram Sarup for the workman alongwith the workman.
No one for the management.

AWARD

By order No. ID/RAK/14-78/17207, dated 4th May, 1978 the Governor of Haryana referred the following dispute between the management of M/s Modi Textile Mill, Rai, Sonapat and its workman Shri Sada Ram to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of the section 10 of Industrial Disputes Act, 1947 :—

Whether the termination of the service of the workman Shri Sada Ram was justified and in order ?
If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The parties appeared and filed their pleadings and the workman alleged that he was working with the management from 1st June, 1970 on payment of Rs 700 p.m. When he went on leave for 3 days on 18th November, 1977 and when he returned back on 21st November, 1977 he was not allowed to resume his duty. The management in their written statement alleged that the workman absented from his duties w.e.f. 18th November, 1977 for more than 10 days and as per

standing orders lost his lien on his appointment. On the pleading of the parties the following issues were framed by my learned Predecessor on 11th September, 1970.

1. Whether the workman lost his lien on his appointment for being absent for more than 10 days as per standing order ?
2. If issue No. 1 is not proved whether the termination of service of the workman was justified and in order ?
3. If not, to what relief is he entitled ?

And fixed the case for the evidence of the management on 13th October, 1971. After some adjournments the management was allowed last opportunity for producing their evidence on 4th May, 1979 on payment of Rs 25 as cost. On 4th May, 1979 none appeared on behalf of the management and consequently *Ex parte* proceedings were ordered against the management and the case was fixed for *Ex-parte* evidence of the workman for 5th June, 1979. On 5th June, 1979 the workman produced himself as W.W. 1 and one Shri Bansi Dhar workman of the respondent management as W. W.-2. The workman himself as his witness stated that on 18th November, 1977 he was suffering from fever and delivered application for leave personally to the Manager but he does not know whether leave was sanctioned or not. When he went to resume his duty on 21st November, 1977 after 5 days he was stopped at the gate and not allowed to resume his duties. The workman stated that there was a fire in the factory on 18th November, 1977 and some workers who were not on duty being on next shift also reached the factory but he being ill did not go there and the management got it ill on the ground that workers who were even far off from the factory reached and he did not come after knowing about the fire and therefore the management terminated his services. The other witness W.W. 2 stated that Shri Sada Ram workman went on leave on 18th November, 1977 and he came back on duty on 21st November, 1977 he was stopped on the gate and not allowed to enter the factory. He also deposed about there being fire in the factory and the management feeling ill about the workman for not coming to the factory in sympathy with the management.

In view of the evidence of the workman and no evidence of the management in support of their written statement, I hold that the management has terminated the services of the workman without any justification and he is order to be reinstated with full back wages from the date of his termination.

Dated the 23rd June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 1598 dated 2nd July, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

N^o 11(123)Lab-77/7522 —In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Chhabra Metal Industries, Jagadhri.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 57 of 1979

between

SHRI PHOOL CHAND WORKMAN AND THE MANAGEMENT OF M/S CHHABRA METAL INDUSTRIES, JAGADHRI, HARYANA

Present.—

Shri Surinder Kumar for the workman alongwith workman.
Shri Sat Pal for the management.

AWARD

By order No. ID/19-77/11436, dated 12th March, 1979 the Governor of Haryana referred the following dispute between the management of M/s Chhabra Metal Industries, Jagadhri and its workman Shri Phool Chand to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of the services of Shri Phool Chand was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties for 25th May, 1979. On 26th May, 1979 when the parties appeared and filed a photostat copy of the receipt executed by the workman in token of full and final settlement of his claim on payment of Rs 350 by the workman and Shri Surinder Kumar authorised representative of the workman made a statement that :

"The workman has settled his accounts and received his claim and does not want any further action and the reference may be filed."

In view of the receipt executed by the workman and the statement of the representative of the workman I hold that the termination of the services of the workman was justified and in order and he is not entitled to any further relief.

Dated 23rd June, 1979.

BABU RAM GOYAL,
Presiding officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 1597 dated 2nd July, 1979.

Forwarded (For copies) to the Secretary to Government of Haryana. Labour and Employment Department, Chandigarh as required under section 15 of the I.D. Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak

No. 11(112)-3Lab-79/7593.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Rohtak in respect of the dispute between the workman and the management of M/s Haryana Rubber Industries Pvt. Ltd. Bahalgarh.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 11 of 1979

between

Shri Dalel Singh workman and the management of M/s Haryana Rubber Industries Pvt. Ltd. Bahalgarh (Sonepat).

Present.—Sh. Sharda Nand for the workman.
[No one for the management.]

AWARD

By order No. ID/YMN/128-78/1093, dated 8th January, 1979 the Governor of Haryana referred the following dispute between the management of M/s Haryana Rubber Industries Pvt. Ltd., G.T. Road, Bahalgarh (Sonepat) and its workman Shri Dalel Singh to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of the service of Shri Dalel Singh was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, the notices were issued to the parties for 15th February, 1979 when Shri Sharda Nand appeared on behalf of the workman and no one appeared on behalf of the management. Notice was again issued to the management for 28th March, 1979. The management did not appear in spite of service and *Ex-parte* proceedings were ordered against the management on 28th March, 1979 and case fixed for the *Ex-parte* evidence of the workman on 4th May, 1979. On 4th May, 1979 Shri Sharda Nand obtained adjournment for *Ex-parte* evidence of the workman to 2nd June, 1979. On 2nd June, 1979 when the *Ex-parte* evidence of the workman did not come present, Shri Sharda Nand made a statement that—

"The workman is not traceable and the case may be filed."

In these circumstances I dismiss the reference for non-prosecution on the part of the workman and hold that the workman is not entitled to any further relief.

Dated 23rd June, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst. No. 1596 dated the 2nd July, 1979

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Forwarded (four copies) to the Secretary to Government of Haryana, Labour and employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)-3Lab-79/7594.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ghanshyam Dass and Brothers, Jagadhri.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 95 of 1976,

between

SHRI PREM CHAND WORKMAN AND THE MANAGEMENT OF M/S GHANSHAM DASS AND BROTHERS JAGADHRI

Present.—No one for the workman.

Sh. Subhash Chander for the management.

AWARD

By order No. ID/Amb./522-A-76/43428, dated the 23rd January, 1976 the Governor of Haryana referred the following dispute between the management of M/s Ghansham Dass and Brothers, Jagadhri and its workman Shri Prem Chand to this Court, for adjudication in exercise of the powers conferred by clause (c) of the sub-section (1) of the section 10 of the Industrial Disputes Act, 1947:—

‘Whether the termination of the services of Shri Prem Chand was justified and in order? If not, to what relief is he entitled.’

On receipt of order of reference, the notices were issued to the parties. The workman filed his claim-statement stating therein that he was employed for the last 7 years as a Machine Operator and the management terminated his services with effect from 14th June, 1976 illegally.

The management did not file any written statement but obtained adjournments for mutual settlement of the case. Numerous adjournments were granted for the purpose and ultimately on 26th April, 1979 the management produced their application dated 25th April, 1979 from the workman requesting that the workman has settled his case and received his dues from the management and he does not want to pursue his case and the same may be filed.

The case was adjourned to 24th May, 1979 as Shri Surinder Kumar representative of the workman wanted to verify from the workman about his settlement dated 25th April, 1979. The case was adjourned to 24th May, 1979. On 24th May, 1979 no one appeared on behalf of the workman and it is presumed that the workman has settled his claim.

I therefore, answer this reference and give my award that the termination of the services of the workman was justified and in order and as the workman has settled his claim. He is not entitled to any further relief.

Dated 23rd June, 1979

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 1593, dated 2nd July, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.